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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,283	11/08/2001	Yosuke Nishi	215812US2	5048

22850 7590 11/08/2005

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EXAMINER

WANG, LIANG-CHE

ART UNIT PAPER NUMBER

2155

DATE MAILED: 11/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/986,283	Applicant(s) NISHI, YOSUKE	
	Examiner Liang-che Alex Wang	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 14-22 are presented for examination.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/14/2005 has been entered.

Response to Arguments

3. Applicant's arguments filed 10/14/2005, have been fully considered but they are not persuasive.
4. In that remarks, applicant's argues in substance:
 - a. That: there is no teaching regarding Fig 7, in Petite et al for a remote control server that sets a wait state for waiting a command execution request from a user terminal by receiving a command fetch request from electronic equipment, and upon receiving a command execution request from the user terminal, transmits the command execution request to the electronic equipment as a response to the command fetch request set to the wait state.

This is found not persuasive to the Examiner because because Petite teaches a system (see figure 7), that a transceiver 221 (electronic equipment) sends a signal indicating a vehicle is in need of service (command fetch request),

and then the transceiver 221 (electronic equipment) waits for control signal (command execution request) from the server 260 and computers 240/250 (user terminals). Furthermore, Petite teaches in Col 7 lines 52-57, workstation 250 is capable of generating control signals for the system and having the server acts as the data collection and reporting device, so when server 260 would be in a wait state during the time period when passing user requests to and receiving control signal from workstation 250. See rejection below.

- b. That: there are no teaching in Petite et al., that computers 240/250 issue a command execution request in which server 260 would act upon by transmitting a command execution request to the transceiver.

This is not persuasive because in Col 7 lines 52-57, workstation 250 is capable of generating control signals for the system and having the server acts as the data collection and reporting device.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 14-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Petite et al., US Patent Number 6,437,692, hereinafter Petite.

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7. Referring to claim 14, Petite teaches a remote control system (see title and Col 2 lines 42-53) for controlling remotely electronic equipment (Figure 9 item 910) connected via a firewall (figure 9 item 520) to an external network (items 230, 960, and 530 are considered as external network to the electronic equipment), comprising:
- a. a remote control server (server 260 in figure 7) connected to the external network (WAN 230);
 - b. a wait state setting unit in the remote control server (server 260) and configured to receive a command fetch request from said electronic equipment (system 710 and transceiver 221) via said external network (network 230)(Col 12 lines 46-58, Col 6 lines 15-20, Col 3 lines 20-22 vehicle is sending out signal in need of services, server is receiving signals from the transceiver), and if a command execution request (control signal) from a user terminal (laptop 240/workstation 250) (Col 7 lines 52-57, workstation 250 is capable of generating control signals for the system,) corresponding to the command fetch request is not stored (Col 3 line 66-Col 4 line 2, control signal is not stored), to set a wait state for the command execution request (figure 2, and Col 12 lines 42-65, it requires time to process and analyze the received data, wait state exists at the time frame between request signal sent and the data being processed, and waits for workstation to send control signals back to servers and electronic equipment); and
 - c. a command information transmission unit in the remote control server (server 260) and configured to receive a command execution request (control signal) transmitted from a user terminal (Figure 7, item 240/250) via said external

network (WAN 230), and transmitting the command execution request to said electronic equipment (figure 7 transceiver 221)(Col 7 lines 52-57, workstation could generate control signals and have the server 260 acted as a command information transmission unit to route control signal to the electronic equipment) as a response to said command fetch request set to a wait state (Col 12 lines 58-62, Col 6 lines 28-58).

8. Referring to claim 15, Petite teaches the remote control server system according to claim 14, further comprising: a state information memory unit (figure 9 database 540) configured to receive and store state information transmitted from said electronic equipment via said external network (WAN 230); and a state transmission unit configured to transmit state information stored in said state information memory to said user terminal (Col 3 lines 31-58, sensors detects if a parking space is available (the availability is viewed as a state info: "occupied" or "not occupied").
9. Referring to claim 16, Petite teaches the remote control server system according to claim 14, further comprising: a state information memory unit configured to receive and store state information transmitted from said electronic equipment via said external network (Col 6 lines 15-20, Col 3 lines 31-58, sensors detects if a parking space is available (the availability is viewed as a state info: "occupied" or "not occupied"); a state information analysis unit configured to analyze state information stored in said state information memory means (Col 6 lines 20-21); and a analysis results transmission unit configured to transmit analysis results from said state information analysis means to said user terminal (Col 6 lines 22-24).

10. Referring to claim 17, Petite teaches the remote control server system according to claim 14, wherein said command execution request transmission unit, in cases where information pertaining to command execution time period for said electronic equipment is contained in command information received from said user terminal, is configured to transmit the command execution request at a time corresponding to that command execution time period when that electronic equipment has no time control function (Col 13 lines 50-62, command information in a parking reservation system contains a time information.)
11. Referring to claim 18, Petite teaches the remote control server system according to claim 14, further comprising: a unit configured to receive command execution results information transmitted from said electronic equipment via said external network, and transmitting the command execution results information to said user terminal as a response to the command execution request from the user terminal. (Col 13 lines 30-43, the system monitors the parking system, and the sensor will send back signals if a space is being taken or released.)
12. Referring to claims 19-22, claims 19-22 encompass the same scope of the invention as that of the claims 14-18. Therefore, claims 19-22 are rejected for the same reason as the claims 14-18.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is


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(571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang *LW*
November 2, 2005


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER